

The Court will not screen the complaint at this time. Pursuant to LSR 2-2, a plaintiff must “immediately file with the Court written notification of any change of address. The notification must include proof of service upon each opposing party or the party’s attorney. Failure to comply with this Rule may result in dismissal of the action with prejudice.” On August 15, 2011, the undersigned was assigned to this case. Notification of the assignment was sent to Plaintiff at the address she provided to the Court at the time she filed this case. It was returned as undeliverable. (Dkt. #3). On May 8, 2012, the case was reassigned to Judge Du. Notification of that assignment was sent to the address provided by Plaintiff. It was also returned

1 as undeliverable. (Dkt. #5). Given Plaintiff's failure to provide the Court with either her correct
2 address or change of address, the Court will recommend that this action be dismissed with
3 prejudice.

4 Based on the foregoing and good cause appearing therefore,

5 **IT IS HEREBY ORDERED** that Plaintiff's Application to Proceed In Forma Pauperis
6 (#1) is **granted**. Plaintiff shall not be required to pre-pay the full filing fee of three hundred fifty
7 dollars (\$350.00). This Order granting leave to proceed *in forma pauperis* shall not extend to the
8 issuance of subpoenas at government expense.

9 **IT IS FURTHER ORDERED** that the Clerk of the Court shall file the Complaint
10 (#1-1). The Complaint will be screened in the event the case is not dismissed.

11 **RECOMMENDATION**

12 **IT IS HEREBY RECOMMENDED** that Plaintiff's Complaint (#1-1) be **dismissed**
13 **with prejudice** for failure to comply with LSR 2-2.

14 **NOTICE**

15 Pursuant to Local Rule IB 3-2, any objection to this Finding and Recommendation must
16 be in writing and filed with the Clerk of the Court within fourteen (14) days. The Supreme Court
17 has held that the courts of appeal may determine that an appeal has been waived due to the failure
18 to file objections within the specified time. *Thomas v. Arn*, 474 U.S. 140, 142 (1985). This
19 circuit has also held that (1) failure to file objections within the specified time and (2) failure to
20 properly address and brief the objectionable issues waives the right to appeal the District Court's
21 order and/or appeal factual issues from the order of the District Court. *Martinez v. Ylst*, 951 F.2d
22 1153, 1157 (9th Cir. 1991); *Britt v. Simi Valley United Sch. Dist.*, 708 F.2d 452, 454 (9th Cir.
23 1983).

24 DATED this 11th day of June, 2012.

25 
26 C.W. Hoffman, Jr.
27 United States Magistrate Judge
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